

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2006:

Present

Vote

Walter C. Zaremba, Chairman  
Kenneth L. Bowman, Vice Chairman  
Sheila S. Noll  
James S. Burgett  
Thomas G. Shepperd, Jr.

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE AN AUTOMOBILE GRAVEYARD/JUNKYARD AT 2321 WOLF TRAP ROAD (ROUTE 630)

WHEREAS, Ralph L. English, Sr., has submitted Application No. UP-687-05 to request a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 19), to authorize an automobile graveyard/junkyard on approximately 12.49 acres of land located at 2321 Wolf Trap Road (Route 630) approximately 2,350' north of the intersection of Wolf Trap Road and Goodwin Neck Road (Route 173) and further described as Assessor's Parcel Nos. 24-259 (GPIN# R08b-4924-4060) and 24-258 (GPIN# S08a-0061-3407); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the \_\_\_\_ day of \_\_\_\_, 2006, that Application No. UP-687-05 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize an automobile graveyard/junkyard on approximately 12.49 acres

of land located at 2321 Wolf Trap Road (Route 630) approximately 2,350' north of the intersection of Wolf Trap Road and Goodwin Neck Road (Route 173) and further described as Assessor's Parcel Nos. 24-259 (GPIN# R08b-4924-4060) and 24-258 (GPIN# S08a-0061-3407), subject to the following conditions:

1. This Special Use Permit shall authorize an automobile graveyard/junkyard on approximately 12.49 acres of land located at 2321 Wolf Trap Road (Route 630) approximately 2,350' north of the intersection of Wolf Trap Road and Goodwin Neck Road (Route 173) and further described as Assessor's Parcel Nos. 24-259 (GPIN# R08b-4924-4060) and 24-258 (GPIN# S08a-0061-3407).
2. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any land clearing or development activities on the subject property.
3. Said site plan shall be in substantial conformance with the concept plan titled "Future English Motors" and dated February 6, 2006, except as modified herein.
4. An opaque privacy fence no less than six feet (6') in height, and with the finished side facing abutting properties, shall be constructed along the perimeter of all storage areas to fully shield such areas from view from adjacent properties and Wolf Trap Road. Said fence shall be set back a minimum of twenty feet (20') from the perimeter property lines and the 20' wide strip shall be landscaped in accordance with the requirements of the Zoning Ordinance. The fence shall be constructed of one or more of the following materials and shall be subject to the approval of the Zoning Administrator as to style and design:
  - a) Salt-treated or creosote-treated pine, cedar, cypress, or similar decay-resistant material,
  - b) Protected metals, such as Teflon-coated steel, anodized aluminum or similar materials (but not including chain link fencing with metal slats), or
  - c) Masonry construction such as brick, glazed terra cotta or cinder block, when protected by an epoxy coating.
5. At no time shall junk vehicles in the storage yard be stored or stacked on top of one another. This shall not preclude the temporary placement of vehicles on trailers for the purpose of transporting them to and from the junkyard.
6. The driveway and all off-street customer and employee parking areas shall be constructed of asphalt, concrete, or any equivalent permanent dustless paving

material. The entrance drive shall be so paved between the parking lot and Wolf Trap Road.

7. The automobile graveyard/junkyard shall be constructed and operated in conformance with the provisions contained in Sections 24.1-475, Standards for all motor vehicle and transportation related uses, and 24.1-476, Standards for automobile graveyard, junkyard, of the York County Zoning Ordinance and Chapter 5, Automobile Graveyards and Junkyards, of the York County Code.
8. Prior to the commencement of any land disturbance or construction activity on the property, the developer shall submit a Natural Resources Inventory, including a Perennial Stream Determination, in accordance with Section 23.2-6 of the County Code. If any stream is determined to be perennial, then a 100-foot Resource Protection Area (RPA) buffer shall be maintained landward of the stream and any adjacent wetlands.
9. Prior to the issuance of a Land Disturbing Permit for an automobile graveyard/junkyard on the above-referenced property and prior to the lease, sale, or other conveyance of any of the properties listed below, the applicant shall prepare and record with the Clerk of the Circuit Court, at his expense, a deed restriction on the properties described below stipulating that:
  - a) all junkyard/automobile graveyard activities shall be discontinued and all junk shall be removed from said properties within six months following the issuance of a Certificate of Occupancy for the Wolf Trap Road facility, provided, however, that the Board of Supervisors may by resolution extend this period by up to six months upon receipt of a written request from the applicant, said request to be processed as a minor modification of this Special Use Permit in accordance with the provisions set forth in Section 24.1-115(d)(2) of the Zoning Ordinance; and
  - b) none of the below listed properties shall be used after said six-month period for the establishment, operation, or maintenance of an automobile graveyard or junkyard, absent express authorization from the York County Board of Supervisors.

The restriction shall be in the form of a restrictive covenant running with the land, enforceable by the County, and shall be approved as to form by the County Attorney. The restriction shall cover the properties listed below:

- 2312 George Washington Memorial Highway (Assessor's Parcel No. 37-36, GPIN# S03d-3958-2150)
- 2314 George Washington Memorial Highway (Assessor's Parcel No. 37-37, GPIN# S03d-4316-2302)

- 2316A George Washington Memorial Highway (Assessor's Parcel No. 37F-2-1A, GPIN# S03b-4317-2657)
- 2318 George Washington Memorial Highway (Assessor's Parcel No. 37-35, GPIN# S03d-4290-1932)

For the purposes of enforcement of this condition, operation or maintenance of an automobile graveyard or a junkyard, as defined in the York County Zoning Ordinance, on any of the above-named parcels (unless expressly authorized by the Board of Supervisors), either individually or collectively, shall be reason for the County seeking to enforce the covenant.

10. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable, and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.